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Attorneys for Defendants
COUNTY OF SANTA CLARA and
JEFFREY F. ROSEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DANIEL CHUNG, an individual,

Plaintiff,

vs.

COUNTY OF SANTA CLARA, a public entity;
JEFFREY F. ROSEN, individually; and DOES
1-50, inclusive,

Defendants.

Case No.: 21-cv-07583 WHO

**STIPULATION AND ~~PROPOSED~~
ORDER TO MODIFY SCHEDULING
ORDER**

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Plaintiff DANIEL CHUNG (“Plaintiff”) and defendants COUNTY OF SANTA CLARA and JEFFREY F. ROSEN (collectively “Defendants”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on November 30, 2021, the Court entered an order modifying the briefing deadlines related to Defendants’ Motion to Dismiss, whereby currently any opposition is due by January 10, 2022, and any reply is due by January 24, 2022 (Dkt. 22).

WHEREAS, the office of Plaintiff’s counsel is severely impacted by COVID, including significant staff shortages, and thus is unable to effectively participate in this litigation.

NOW THEREFORE, through their counsel of record, the parties hereby stipulate and respectfully request that the Court modify the briefing deadlines on Defendants’ Motion to Dismiss as follows:

- Any response to the Motion to Dismiss shall be due by **January 24, 2022;**
- Any reply shall be due by **February 7, 2022;** and
- The hearing on Defendants’ Motion to Dismiss shall ~~remain scheduled for February 17, 2022, at 1:30 p.m., or as the Court may order~~ **be set for February 23, 2022 at 2:00 p.m.**

1 **IT IS SO STIPULATED.**

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3 DATED: January 6, 2022

McMANIS FAULKNER

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5 /s/ Abimael Bastida

JAMES McMANIS
ABIMAEI BASTIDA

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7 Attorneys for Plaintiff
DANIEL CHUNG

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15 Dated: January 6, 2022

JAMES R. WILLIAMS, County Counsel

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17 /s/ Xavier Brandwajn

CLAIRE CORMIER
XAVIER BRANDWAJN

18 Attorneys for Defendants COUNTY OF SANTA
19 CLARA and JEFFREY F. ROSEN

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22 **ATTESTATION**

23 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all signatories listed, and on
24 whose behalf the filing is submitted, concur in the filing's content and have authorized the
25 filing.

26 Dated: January 6, 2022

/s/ Abimael Bastida

ABIMAEI BASTIDA

[PROPOSED] ORDER

IT IS SO ORDERED.

Dated: January 6, 2022


United States District Court Judge